

AMENDED

NO. 63097

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 09 1997

Returned to applicant for correction _____

Corrected application filed MAY 20 1997

Map filed MAY 20 1997

The applicant Barker Homes, Inc., hereby makes application for permission to change the Point of Diversion, Place and Manner of Use of water heretofore appropriated under portions of Claim 588 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "The United States of America vs. Orr Water Ditch Company, et al., Defendants", in Equity Docket A-3.

1. The source of water is Truckee River, as decreed
2. The amount of water to be changed 7.18 afa and a prorata share of the diversion rate
3. The water to be used for Municipal and Domestic
4. The water heretofore permitted for Irrigation, as decreed
5. The water is to be diverted at the following point The points of diversion of Sierra Pacific's existing water treatment plants as described in attached Exhibit "A" and as shown on the map supporting Application No. 58882 on file with the Division of Water Resources, State of Nevada.
6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, T.19N., R.20E., M.D.M., or at a point from which the Northeast corner of said Section 7 bears North 36° 10' East a distance of 3030 feet. See Map No. 57309 for existing point of diversion.
7. Proposed place of use See attached Exhibit "B" and as shown on the map that accompanied Application No. 62141.
8. Existing place of use See attached Exhibit "C".
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from As Decreed to As Decreed of each year.
11. Description of proposed works Water will be diverted by existing S.P.P.Co. facilities, treated and placed into the existing distribution system.
12. Estimated cost of works S.P.P. Co. has invested in excess of \$50 million
13. Estimated time required to construct works Completed
14. Estimated time required to complete the application of water to beneficial use 1 year

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0625 cubic feet per second, but not to exceed 6.70 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

January 2, 2005

Proof of the application of water to beneficial use shall be filed on or before:

February 2, 2005

Map in support of proof of beneficial use shall be filed on or before:

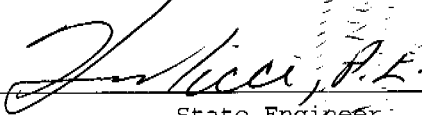
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 2nd day of January, A.D. 2004



State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situated within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situated within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situated within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"
PROPOSED PLACE OF USE

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.&M.
E½	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E½	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E½	30&31	18	18	M.D.B.&M.
ALL	32-36	18	18	M.D.B.&M.
ALL	1-5	19	18	M.D.B.&M.
E½	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E½	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E½	30&31	19	18	M.D.B.&M.
ALL	32-36	19	18	M.D.B.&M.
ALL	1-5	20	18	M.D.B.&M.
E½	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E½	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E½	30&31	20	18	M.D.B.&M.
ALL	32-36	20	18	M.D.B.&M.
ALL	1-5	21	18	M.D.B.&M.
E½	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E½	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E½	30&31	21	18	M.D.B.&M.
ALL	32-36	21	18	M.D.B.&M.
ALL	1-36	18	19	M.D.B.&M.
ALL	1-36	19	19	M.D.B.&M.
ALL	1-36	20	19	M.D.B.&M.
ALL	1-36	21	19	M.D.B.&M.
ALL	2-35	18	20	M.D.B.&M.
W½	36	18	20	M.D.B.&M.
ALL	1-12	19	20	M.D.B.&M.
ALL	14-23	19	20	M.D.B.&M.
ALL	26-35	19	20	M.D.B.&M.
ALL	1-36	20	20	M.D.B.&M.
ALL	1-36	21	20	M.D.B.&M.
ALL	1-36	20	21	M.D.B.&M.
ALL	1-36	21	21	M.D.B.&M.

SEE SUPPORTING MAP ON FILE WITH APPLICATION NO. 62141

EXHIBIT "C"
EXISTING PLACE OF USE

Diversion	40-acre Sub'n.	Section	Township	Range	Claim #	APN	ACREAGE	DUTY
Irrigations Ditch	NW	NW	8	19N.	20E.	588	32-242-07	0.050
	NW	NW	8	19N.	20E.	588	32-242-08	0.160
	NW	NW	8	19N.	20E.	588	32-243-12	0.745
	NE	NW	8	19N.	20E.	588	32-243-12	0.400
	SW	NW	8	19N.	20E.	588	32-263-20	0.229
	SE	NW	8	19N.	20E.	588	32-263-20	0.211
TOTALS							1.795	7.18

per file con 69491
10.20
0.64
0.810 3.32
0.315 1.28

